

REMARKS/ARGUMENTS

This amendment is filed in response to the Office Action dated November 13, 2007.
Applicant respectfully request reconsideration of the subject application as amended herein.

I. STATUS OF THE CLAIMS

In the Action, Claims 1-19 are pending. Claims 1, 10 and 17 have been amended. No new matter has been entered.

Claims 1-19 were rejected under 35 U.S.C. § 101, (hereinafter “Section 101”) as being allegedly directed to non-statutory subject matter.

Claims 1-19 were rejected under 35 U.S.C. § 103(a) (hereinafter “Section 103(a)”) as being allegedly unpatentable over Petersen et al. (U.S. Pat. 6,308,179, hereinafter “Petersen”) in view of Sheppard (U.S. Pat. 5,832,472, hereinafter “Sheppard”) and further in view of Pinkham (U.S. Pat. Publication 20040243390).

Applicant respectfully traverses the rejections and requests reconsideration for all pending claims in light of the remarks below.

II. SECTION 101 REJECTION

Claims 1-19 stand rejected under Section 101 as being directed to non-statutory subject matter. In particular, the Action states that the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within in the meaning of 35 USC 101. The Action further states that the claims fail to fall within a statutory category and are at best, functional descriptive material per se.

Applicant respectfully requests amendment to the independent claims 1 and 17 which are believed to correct the deficiencies of the claims and overcome the Section 101 rejection. In particular, the claims have been amended to recite a computerized system with the necessary physical components for instance the “one or more processors”, “memory operatively coupled to the one or more processors” and the modules “comprising code operable when executed with a processor” to perform the recited actions. Accordingly, these physical components of the system are believed to clarify that the claims are directed to statutory subject matter. Applicant respectfully requests withdrawal of the rejection of claims 1-19 under Section 101.

III. SECTION 103(a) REJECTIONS

Claim 1 has been rejected under Section 103(a) in view of Petersen, Sheppard, and Pinkham. Applicant has amended claim 1 to better clarify the terms of the claim. It is believed that a prima facie case of obviousness is not established as none of the cited references alone or in combination teach or suggest ALL the claim limitations of amended claim 1 as discussed below.

In the current application, claim 1 has been amended and recites in part that the “user database comprising a history of past user interaction with the system” and the “control system...finding the relevant data/record(s) from the databank, based on a user selecting from presented options including one of one of the “FIND” conditions, more than one of the “FIND” conditions, and none of the “FIND” conditions; and maintain a history of records viewed by a user during interaction with a module.” Support for the amendments can be found in Applicant’s specification as published in paragraphs [0027], [0077] and [0147].

In contrast, Petersen teaches broadly “managing files” and “storage systems” in col. 10 as cited in the Action. Petersen describes a “concept of chaining” in which “reference documents” of other principles “are created” when accessing another principal’s “base documents”. However, Applicant’s claim 1 recites in part, particularly “a user database comprising a history of past user interaction with the *system*” which is not the same as storing documents on a “kernel”. Petersen’s teaching of creating documents linked to a base document does not equate to teaching of a “history of past user interaction with the system” as required in amended claim 1.

In addition, the particular and separate “configuration database” as recited in claim 1 is not taught in Petersen. The Action states that col. 11, lines 44-63 show a “configuration database (i.e. user’s system receives customization for their own documents”. However, in reviewing the cited section in Petersen, a discussion of “chaining” is described in which reference documents are created and linked to a base document. Applicant does not see where a defined “configuration database” is described in the section cited in Petersen by a concept of “chaining” documents. Accordingly, Applicant respectfully argues that the “configuration database” and “user database comprising a history of past user interaction with the system” are not shown by Petersen as cited in the Action.

Moreover, claim 1 has been amended to further recite in part that the “control system...display[s] relevant data/record(s)... on a user selecting from presented options including one of one of the ‘FIND’ conditions, more than one of the ‘FIND conditions, and none of the ‘FIND conditions...”. In contrast, Petersen, in col. 21, lines 20-38 does not teach the required limitations as recited in claim 1. Rather, Petersen describes a general “find() method by “giving a search term” in relation to “setting a property” of a document. As such,

Petersen does not show a “user selecting from” the “presented options” which include the following options of “one”, “more than one”, and “none” of the ‘FIND’ conditions” as required by amended claim 1.

Furthermore, claim 1 has been amended to recite that the “control system... maintain[s] a history of records viewed by a user during interaction with *a module*.” (emphasis added). Petersen has been reviewed and does not provide for this required element of amended claim 1. Accordingly, Petersen does not teach or suggest each and every element of amended claim 1.

Moreover, in review of Sheppard and Pinkham, neither reference alone or in combination provides for the deficiencies of Petersen. As not all the required limitations of amended claim 1 are taught by Petersen, Sheppard and Pinkham, there is no showing of a prima facie case of obviousness. Accordingly, Applicant respectfully requests withdrawal of the rejection of amended claim 1 under Section 103(a), and submits that amended claim 1 is allowable over the cited references.

Claim 17 has been similarly amended as in amended claim 1. Accordingly, for at least all the reasons stated above with regard to amended claim 1, amended claim 17 is also believed allowable. Accordingly, Applicant respectfully requests withdrawal of the rejection of amended claim 17 under Section 103(a).

Dependent claims 2-16 and 19 depend directly or indirectly on amended claim 1, with additional limitations, and are allowable for at least the same reasons as is claim 1. In addition, claim 18 depends directly on amended claim 17, with additional limitations, and is allowable for at least the same reasons as is claim 17.

Accordingly, for the above reasons, Applicant respectfully requests withdrawal of the rejection of claims 1-19 under Section 103(a), and submits by the present amendment, that these claims are allowable over Petersen, Sheppard and Pinkham.

Claim 10 has been amended to correct a typographical error in which "eating" should have been "rating". Entry of the amendment to claim 10 is respectfully requested.

V. CONCLUSION

Applicant respectfully submits that the amendments to the pending claims and the remarks presented herein successfully traverse the rejections of the claims. Allowance of Claims 1-19 is therefore requested. Should the Examiner have any questions regarding the above remarks, the Examiner is requested to telephone Applicant's representative at the number listed below.

Respectfully submitted,

Date: 05/13/2008

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